

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 9:25-cv-80262

CORY CANTNER, on behalf of himself and
others similarly situated,

Plaintiff,

v.

GAME OF SILKS, INC., DAN
NISSANOFF, TROY LEVY, TROPICAL
RACING, INC., RON LUNIEWSKI, and
DEREK CRIBBS,

Defendants.

JURY TRIAL DEMANDED

**DEFENDANTS' MOTION TO COMPEL ARBITRATION ON
AN INDIVIDUAL BASIS AND STAY OR, IN THE ALTERNATIVE,
TO TRANSFER, OR TO DISMISS UNDER RULE 12(b)(6)**

Pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1-16 and Federal Rule of Civil Procedure 12(b)(1), Defendants Game of Silks, Inc., Dan Nissanoff, Troy Levy, Tropical Racing, Inc., Ron Luniewski, and Derek Cribbs (collectively, "Defendants") respectfully move this Court for an order compelling Plaintiff to arbitrate his claims on an individual basis and to stay this action pending the outcome of arbitration. Alternatively, Defendants request that this matter be transferred to the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 1404(a) and the governing forum selection clause in the parties' contract. Finally, in the event that the Court declines to compel arbitration and/or transfer venue, Defendants move to dismiss the Second Amended Complaint (ECF No. 37) pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: July 25, 2025

Respectfully submitted,

/s/ Robert K. Tucker II

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 25, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will serve a true and correct copy of the foregoing on all counsel or parties of record designated to receive service in CM/ECF.

/s/ Robert K. Tucker II _____